

AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions, and listings, of claims in the application:

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Claims 1-52 (Canceled).

53. (Previously Presented) A nitride semiconductor device having a nitride semiconductor layer structure comprising:

an active layer of a quantum well structure which has a first surface and a second surface and which comprises an indium-containing nitride semiconductor;

a first nitride semiconductor layer which is formed to adjoin the first surface of the active layer and has a band gap energy larger than that of the active layer;

a second nitride semiconductor layer which is formed on the first surface side of the active layer at a location more distant from the active layer relative to the first nitride semiconductor layer, which has a band gap energy smaller than that of the first nitride semiconductor layer and which has a thickness larger than that of the first nitride semiconductor layer; and

a third nitride semiconductor layer which is formed on the first surface side of the active layer at a location more distant from the active layer relative to the second nitride semiconductor layer and which has a band gap energy larger than that of the second

nitride semiconductor layer.

54. (Currently Amended) The device according to claim 53, wherein the ~~me~~-first nitride semiconductor layer has a thickness of ~~0.1~~10 angstroms to 0.1 μm .

55. (Previously Presented) The device according to claim 53, wherein the active layer is doped with an impurity.

56. (Previously Presented) The device according to Claim 53, wherein the layer structure is provided on a p-side of the active layer.

57. (Previously Presented) The device according to Claim 56, wherein the second nitride semiconductor layer adjoins the first nitride semiconductor layer.

58. (Currently Amended) The device according to Claim 56, which is a laser device, wherein the second nitride semiconductor layer is a light guiding layer, and the third nitride semiconductor layer is a light confinement layer.

59. (Previously Presented) The device according to Claim 53, wherein the layer structure is provided on an n-side of the active layer.

60. (Previously Presented) The device according to Claim 59, wherein the second nitride semiconductor layer adjoins the first nitride semiconductor layer.

61. (Currently Amended) The device according to Claim 60, which is a laser device, wherein the second nitride semiconductor layer is a light guiding layer, and the third nitride semiconductor layer is a light confinement layer.

62. (Previously Presented) The device according to claim 53, wherein the second nitride semiconductor layer comprises an indium-containing nitride semiconductor or GaN.

63. (Previously Presented) The device according to claim 62, wherein the third nitride semiconductor layer comprises an aluminum-containing nitride semiconductor.

64. (Currently Amended) The device according to claim 53, wherein the layer structure is provided on an n-side of the active layer, and a contact layer is provided at a location more distant from the active layer relative to the third nitride semiconductor layer.

65. (Previously Presented) The device according to claim 64, further comprising an indium-containing nitride semiconductor layer between the contact layer and the third nitride semiconductor layer.

66. (Previously Presented) The device according to claim 53, wherein the second nitride semiconductor layer comprises an indium-containing nitride semiconductor.

Claims 67-71 (Canceled).

72. (Currently Amended) A light-emitting nitride semiconductor device having a nitride semiconductor layer structure and a single light-emitting layer, the device comprising:

an active layer of a quantum well structure which has a first surface and a second surface and which comprises an indium-containing nitride semiconductor;

a first nitride semiconductor layer which is formed to adjoin the first surface of the active layer and has a band gap energy larger than that of the active layer;

a second nitride semiconductor layer comprising an indium-containing nitride semiconductor of GaN which is a light guiding layer and is formed on the first surface side of the active layer at a location more distant from the active layer relative to the first nitride semiconductor layer and which has a band gap energy smaller than that of the first nitride semiconductor layer and which has a thickness larger than that of the first nitride semiconductor layer; and

a third nitride semiconductor layer comprising an aluminum-containing nitride semiconductor which is formed on the first surface side of the active layer at a location more distant from the active layer relative to the second nitride semiconductor layer and which has a band gap energy larger than that of the second nitride semiconductor layer.

Claims 73-75 (Canceled).